

Attachment A

M800403.2

March 31, 1980

Angelo Mainini
Rt 2, Box 416
San Luis Obispo, CA. 93401

RE: CERTIFICATION OF VESTED RIGHTS

Dear Mr. Mainini:

Your application for Certification of Vested Mining Rights has been authorized as complete and satisfactory by our office. This Vested Right recognizes the existing right to continue surface mining on the subject property in accordance with all county ordinances governing surface mine activity. Failure to comply with applicable county laws may result in a revocation of this certification.

Sincerely,

STEVE DEVENCENZI
Reclamation Plan Review

SD/mc

5Y

CERTIFICATION OF VESTED MINING RIGHT
(Application Form)

I. APPLICANT NAME AND ADDRESS:Angelo MAININIPhone: 543-8006II. MINE PROPERTY OWNERSHIP

A. Surface Owner

Name: Angelo MAININIAddress: PT 2 Box 416Phone: 543-8006B. Mineral Owner
(If Mineral Rights
Severed from Surface
Rights)

Name:

Address:

Phone:

C. Mine Lease Owner

Name:

Address:

Phone:

D. Mine Operator

Name: MAININIAddress: PT 2 Box 416Phone: 543-8006

E. Operator Contact Person

Name: MAININIAddress: PT 2 Box 416Phone: 543-8006III. DESCRIPTION OF MINING PROPERTYA. This mine is known as the Cayucos Pit
Mine.B. Provide below a brief description of the general location
of the mine. (Example: Three miles northeast of San Luis
Obispo on Stage Coach Road; 1/4 mile north of intersection
with Hwy 101; west side of road.)

1 1/2 miles of Highway 1 on Cayucos Road
Cayucos, Calif

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- C. Provide below a legal description of the parcel(s) on which the mine is located; including Assessor's Parcel Number(s). Use additional pages, if necessary.

*Section 35 Twp T28S Range R10E, M.D.M.
Parcel No. 46-201-13-000*

IV. DESCRIPTION OF MINE

NOTE: Information in this section should be as of the date of application.

- A. Mineral commodity(ies) mined and produced:

Red Rock

- B. Acreage of area affected by the mine site: 10 acres.

- C. Acreage of area affected by the plant and stockpiles:
_____ acres.

- D. Approximate depth of the deepest portion of the mine from natural grade: _____ feet. *OPEN PIT BANK*

- E. Approximate volume or tonnage of ore and overburden removed during the entire lifetime of the mine:

*45,000 tons/yards. MOVED AROUND LOOKING FOR
FACING ON WHALE ROCK.*

V. HISTORY OF MINE ACTIVITY AND OWNERSHIP

NOTE: Before completing this section refer to Attachment I, "History of Mining," for the desired format. Also, terms relating to "Mine Status" shall have the following definitions:

Active Operation - A surface mine that is 1) operated continuously so that not more than 12 months separates operating periods, and is 2) maintained diligently during periods of inactivity.

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Intermittent Operation - A surface mine that is 1) operated only periodically with one or more years between operating periods, either because needs for the minerals produced at such time are supplied from stockpiles, or because market conditions require only an intermittent supply of these minerals, and is 2) maintained diligently during periods of inactivity.

Abandoned Operation - A surface mine that is deactivated and not maintained diligently in the expectation of reopening it.

Diligent Maintenance - Maintenance of the mine proper, roads, processing plant (if such exists), buildings and other appurtenances in the expectation of reactivation when conditions justify.

A. The mine was first opened in the year ____.

B. History from date of opening to the present:

Period	Status	Production During Period Tons/Yards	Mine Owner and Mine Operator, If Different
1958-61	ACTIVE	EXCAVATION LOOKING FOR ROCK FACING.	MRS. E. DARKEWALD
1960 - PRESENT	ACTIVE	R. ROCK	MAININI SELLS to VARIOUS OPERATORS

[SEE ATTACHMENTS]

Use additional pages, if necessary.

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C. What was the status of the mine on January 1, 1976?

ACTIVE
(Active, Intermittently Active, Abandoned)

D. Was the mine actually producing a mineral commodity on January 1, 1976? Yes ✓ No

E. If the mine was "active" or "intermittently active" on January 1, 1976 but not in actual production (producing a mineral commodity), provide with this application evidence that the mine was and has been maintained diligently on and since that date.

VI. DECLARATION OF LEGAL ESTABLISHMENT AND LEGAL MAINTENANCE OF MINING OPERATION

A. Provide with this application verification that the mine was legally established and opened on the date entered in Section V-A or was legally reestablished and reopened after the last period of "abandonment." Verification should include County-issued permits, copies of receipts, bills of lading or other documentation.

B. Provide with this application verification that the mine has been in compliance with all County regulations relating to mining after it was opened initially or reopened after the last period of "abandonment." See Attachment II for a "Chronology of San Luis Obispo County Code Requirements for Surface Mining Permits."

VII. IDENTIFICATION OF THE EXTENT OF MINE SITE DISTURBANCE SUBJECT TO RECLAMATION

A. Provide with this application the following information:

1. Maps, photos or other documentation to show the extent (including depth) of the mining, processing, and otherwise disturbed area (associated with the mining activity) as of January 1, 1976.
2. Maps, photos or other documentation to show all portions (including new areas) of the mining, processing, and disturbed area which have been utilized in connection with mining/processing activities since January 1, 1976.

April 26, 1979

This Quarry has been operated in accordance with all County regulations and ordinances since it was opened in 1958.

*Angela Mainini
Anna J. Mainini*

Attachment ISAMPLE MINING HISTORY

<u>PERIOD</u>	<u>STATUS</u>	<u>PRODUCTION DURING PERIOD (YDS/TONS)</u>	<u>MINE OWNER AND OPERATOR</u>
1953 - 1961	Active	1,200,000 tons Sand and Gravel	Owner: Old Joe P. O. Box Atascadero, CA Operator: Same
1962 - 1967	Intermittently Active	150,000 tons Sand and Gravel	Owner: Same as above Operator: Same as above
1968 - 1970	Abandoned	---	Owner: Same as above Operator: Same as above
1971 - 1975	Active	1,000,000 tons Sand and Gravel	Owner: Uncle Fred 21 Somewhere St. Morro Bay, CA Operator: Acme Sand Co. P. O. Box Morro Bay, CA
1975 - 1977	Intermittently Active	50,000 tons Sand and Gravel	Owner: Same as above Operator: Same as above
1978 - Present	Intermittently Active	25,000 tons	Owner: Sad Sam 63 Lower Ave. San Mateo, CA Operator: Acme Sand Co. P. O. Box Morro Bay, CA

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Attachment II

CHRONOLOGY OF SAN LUIS OBISPO
COUNTY CODE REQUIREMENTS FOR SURFACE MINING PERMITS

Prior to 1942 - No requirements.

- 8/05/42 - Ordinance 101: Mineral extraction allowed in A-1 district only. Conditional Use Permit (CUP) required for any operation within 1,000 feet of a public road; no permit required for operations further than 1,000 feet from public roads.
- 3/18/53 - Ordinance 258: Mineral extraction allowed in A-1 district only. CUP required for operations within 1,000 feet of a public road in the western part of the County (as shown on the map adopted with County Ordinance 258); Notice of Intent required in east County within 1,000 feet of public roads. No permits required for operations further than 1,000 feet from roads.
- 5/06/59 - Ordinance 427: Mineral extraction allowed in U district only. CUP required for commercial excavation of building and construction materials within 1,000 feet of roads anywhere in County; CUP required for extraction of minerals other than building and construction materials in entire west County; Notice of Intent required for mineral extraction in east County.
- 2/16/70 - Chapter 11: Mineral extraction allowed in U, A-2 and A-3 districts. In U zone, Notice of Intent required for east County and CUP required in west. In A-2, CUP required in west County, no permit or notice required in east. In A-3, CUP required in west, Notice of Intent required in east.
- 5/14/75 - Ordinance 1500: Mineral extraction allowed in U, A-2 and A-3. U and A-2 require Departmental Review anywhere in County. A-3 requires CUP anywhere in County.

The above descriptions are meant to be brief and concise. If you have any questions regarding the applicable ordinance(s), please feel free to contact the County Planning Department.

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